CLASSIFICATION OFFICE DECISION

Title of publication: 37.avi

Other known title(s): Not stated

OFLC ref: 1400719.002

Medium: Computer Moving Image File

Director: Not stated

Country of origin: Not stated

Language: Not stated

Applicant: Secretary for Internal Affairs

Classification:	Objectionable.

Excisions: No excisions recommended

Descriptive note: None

Display conditions: None

Date of entry in Register: 29 August 2014

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 29 August 2014

	Components	**Running time**
Timed component(s):	37.avi	23:53
Total running time:		23:53

Summary of reasons for decision:

The publication is part of a wider batch of computer moving image files submitted for classification. It features an adult male subjecting a young teenage girl to sex acts.

The publication promotes and supports the sexual exploitation of children and young persons and evidences sexual abuse and is thus deemed objectionable.

The only purpose of the publication is to titillate or arouse those with a prurient sexual interest in children and young persons. This material encourages a viewer to see children and young persons as sexually desirable and available for adult sexual gratification. The effect is to strengthen this sexual interest and encourage the viewer to pursue the sexual exploitation of vulnerable members of society. Further the construction and dissemination of such publications for distribution with like-minded individuals exacerbates the sexual abuse depicted and re-victimises the young persons involved.

The Classification Office has considered the effects of the New Zealand Bill of Rights Act 1990 on the application of the classification criteria. The classification of this publication interferes with freedom of expression, but this is an outcome that is consistent with Parliament's intention that publications falling under s3(2) are deemed to be objectionable. The classification is also a reasonable limitation on the freedom of expression that reflects the concern of "a free and democratic society" to limit the availability of publications that exploit children and young persons for sexual purposes.